

RECEIVED
CENTRAL FAX CENTER
JAN 19 2010

MOR-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tatsuru Shirafuji

Serial No.: 10/536,774

Filed: May 26, 2005

For: FLUOROARBON ... SAME

: Group: 2812

: Examiner: Mustapha, Abdulfattah B.

Charles A. Muserlian, Inc.

317 Bliss Lane

Valley Cottage, NY 10989

January 19, 2010

PETITION under MPEP 1308

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Refund Ref:
01/27/2010

0030079369

Credit Card Refund Total: \$130.00

Am Exp.: XXXXXXXXXXXX1004

Sir:

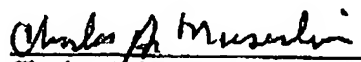
Applicants petition the Commissioner of Patents and Trademarks to withdraw the above application from issue to consider the Information Disclosure Statement dated December 4, 2009 and submitted herewith is PTO Form 2038 for the \$130 petition fee. The issue fee was paid on December 1, 2009 and the document cited by the Korean Patent Office was received from the Japanese Associate by the undersigned on December 2, 2009 and was promptly filed on December 4, 2009. The Patent Office by a paper dated December 14, 2009 refused to consider it since it was filed after payment of the issue fee and suggested that Applicants file a petition under MPEP 1308 resulting in the present petition. Therefore, the Commissioner for Patents and Trademarks is requested to withdraw the application from issue and forward the application to the Examiner to consider the Radcliff et al reference submitted on December 4, 2009.

01/20/2010 JVOHG1 00000039 10536774
01:FC:1464 -130.00 OP

01:FC:1464
01:FC:1464

submitted by the undersigned after paying the issue fee because it was received a day after payment of the issue fee. Therefore, granting of the petition is believed proper.

Respectfully submitted,


Charles A. Muserlian #19,683
Attorney for Applicants
Tel. 845 268 2462

CAM:mlp
Enclosures

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and
Trademark Office on the date shown below.

Charles A. Muserlian
Charles A. Muserlian #19,683

1-19-10

Serial No. 10/536,774

MOR-4

**UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231**

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>01/26/10</u>		2 Serial/Patent # <u>10/536,774</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
	Notice of Appeal/Appeal			\$							
X	Petition 1464	PETWDISS	01/19/10	\$ 130.00							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
			7 TOTAL AMOUNT OF REFUND		\$ 130.00						
			8 TO BE REFUNDED BY: <i>Address below</i>								
10 REASON:			X	Treasury Check							
	Overpayment	Credit Deposit A/C #:									
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px; text-align: center;">--</td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>						--			
		--									
X	No Fee Due (Explanation):										
Petition to withdraw from issue dismissed, too late.			Hedman & Costigan, P.C.								
			1185 Avenue of the Americas								
			New York, NY 10036								
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Monica A. Graves</u>		TITLE: <u>Paralegal Specialist</u>									
SIGNATURE: <u>/Monica A. Graves/</u>		PHONE: <u>(571) 272-7253</u>									
OFFICE: <u>Office of Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u><i>CK</i></u>		DATE: <u>1/27/10</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: